

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 18, and 21 have been amended. Claims 1 and 18 have been amended only in order to improve the form. Non-elected claims 4-7, 14-17 and 19 were previously withdrawn. Claims 1-21 are pending and under consideration.

Applicants have timely filed a Request for Continued Examination (RCE) along with this Amendment, including the filing fee as set forth in 37 CFR 1.17(e). Accordingly, Applicants respectfully request that the Examiner withdraw the finality of any Office action and enter this Amendment for consideration under 37 CFR 1.114.

I. Allowable Subject Matter

In the Office Action, at page 2, numbered paragraph 3, claims 1-3, 8-13, 18, and 20 were indicated as allowed. Claims 1 and 18 have been amended only in order to improve the form. Specifically, the term “flame” in each of claims 1 and 18 has been amended to recite the term “frame” in order to be consistent with the wording of each of these claims.

Certain patentable features of allowed claim 20, as indicated by the Examiner, have been incorporated into amended independent claim 21, as discussed below.

II. Rejections under 35 U.S.C. § 102

In the Office Action, at page 2, numbered paragraphs 1-2, claim 21 was rejected under 35 USC § 102(e) as being anticipated by Autruong (U.S. Patent No. 5,150,368).

Autruong does not discuss or suggest “a determination unit determining whether or not said identifier stored in a predetermined position in each of the plurality of wavelength components is normal,” as recited in amended claim 21. Autruong, as relied on by the Examiner, merely discloses a method for modem-to-modem communication, whereby the acknowledgement of a correctly received data packet is confirmed by *comparing* a currently received checksum to a previously received checksum. In contrast, the invention of claim 21 provides a determination unit for *determining* whether or not an identifier stored in a predetermined position in each of the plurality of wavelength components is normal.

Since Autruong does not discuss or suggest “a determination unit determining whether or not said identifier stored in a predetermined position in each of the plurality of wavelength

components is normal," as recited in amended claim 21, claim 21 patentably distinguishes over Autruong. Accordingly, withdrawal of this § 102(e) rejection is respectfully requested.

CONCLUSION

Claims 1-21 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

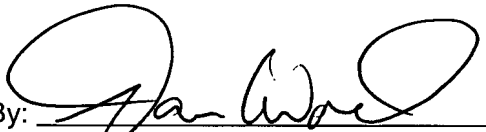
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 4-16-07

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